

RECEIVED

OCT 08 2003

TC 1700



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Bell et al.

)

SERIAL NO.: 10/010,668

) Examiner: E. McAvoy

FILED: December 6, 2001

) Art Unit: 1721

TITLED: DISPERSANTS AND LUBRICATING OIL  
COMPOSITIONS CONTAINING SAME

)

Atty. Docket No. 2001L007

Sir:

TERMINAL DISCLAIMER

Your petitioner, Infineum USA L.P., a Delaware limited partnership having offices at 1900 East Linden Avenue, Linden NJ 07036, represents that, by virtue of an unrecorded assignment (a copy of which is attached), it is the assignee of the entire right, title and interest to U.S. Patent Application Serial No. 10/010,668, filed December 6, 2001, for "DISPERSANTS AND LUBRICATING OIL COMPOSITIONS CONTAINING SAME".

Petitioner further represents that by virtue of an unrecorded assignment a copy of which is attached), it is the owner of the entire right, title and interest in U.S. Patent Application Serial No. 10/008,628, filed December 6, 2001, for "DISPERSANTS AND LUBRICATING OIL COMPOSITIONS CONTAINING SAME".

Your petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on Application Serial No. 10/010,668 (hereinafter "Patent") which would extend beyond the full statutory term of any patent granted on Application Serial No. 10/008,628 (hereinafter "Related Patent"). Petitioner hereby agrees that the Patent so granted shall be enforceable only for and during such period that it and the Related Patent are commonly owned.

This agreement shall run with any Patent granted on Application Serial No. 10/010,668 and shall be binding upon the grantee, its successors and assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of the Patent granted on the instant application that would extend to the expiration date of the full statutory term of the Related Patent in the event that the Related Patent (i) expires for failure to pay a maintenance fee, (ii) is held unenforceable, (iii) is found invalid by a court of

10/03/2003 DTESSM1 00000020 051710 10010668

02 FC:1814 110.00 DA

competent jurisdiction, (iv) is statutory disclaimed in whole, (v) has all of its claims canceled by a reexamination certificate, or (vi) is otherwise terminated prior to the expiration of its full statutory term.

In accordance with 37 CFR §3.73(b), the person named below has reviewed the above-referenced documents and certifies that to the best of his knowledge and belief, title to the referenced patent application has been assigned to petitioner.

The amount of \$110.00 is to be charged to Deposit Account No. 05-1710 to cover the statutory fee for the Terminal Disclaimer.

Respectfully submitted,

---

Jacob M. Levine  
Attorney for Applicant  
Reg. No. 32,509